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U. S. Patent Application

REMARKS

Status of Claims

Claims 1-36 are pending in this application. Claims 1 and 19 are independent claims. Claims 2-18 depend from claim 1, and claims 20-36 depend from claim 19. By this Amendment and Reply, Applicants have amended claims 1 and 19.

Claim Rejections Under 35 USC 112

The Examiner rejected claims 1-18 and 19-36 under 35 USC 112. In response, Applicants have amended claims 1 and 19.

Specifically, in response to the Examiner's comments in Section 1, Sub-section 1 of the Office Action, Applicants have amended claims 1 and 19 by adding features that describe how to carry out the steps for efficient communication and relationship management. ✓

Next, in response to the Examiner's comments in Section 1, Sub-section 2 of the Office Action, Applicants have amended claims 1 and 19 to describe how to establish relationship among patients, friends and family. ✓

Next, in response to the Examiner's comments in Section 1, Sub-section 3 of the Office Action, Applicants have amended claims 1 and 19 to describe how the computer system is linked to a network. ✓

Next, in response to the Examiner's comments in Section 1, Sub-section 4 of the Office Action, Applicants have amended claims 1 and 19 to describe the relationship between the steps of providing a web-based online healthcare system to the rest of the steps.

In Section 1, Sub-section 5 of the Office Action, the Examiner said that an insertion of the concept of fundraising or solicitation of donation into the preamble of the claims will improve the clarity of the claims and overcome the rejections. In response, Applicants have amended claims 1 and 19 so that the preambles now recite "organizations engaged in fundraising and soliciting charitable donations. Furthermore, Applicants have amended the body of claims 1 and 19 to include the limitations "organizations engaged in fundraising" and "soliciting charitable donations."

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Based on the foregoing amendments, Applicants request that the Examiner withdraw the rejections under 35 USC 112.

Claim Rejections Under 35 USC 103

The Examiner rejected claims 1 and 19 under 35 USC 103 as being unpatentable over U.S. Patent Application No. 10/001,420, entitled "SYSTEM AND METHOD FOR CONDUCTING PET, DEATH, DNA AND OTHER RELATED TRANSACTIONS OVER A COMPUTER NETWORK" to Russell et al. ("Russell) alone or in view of article "CAUSE CELLEBRE" by Debra Kaufman, Thomas White and Jessica Rosenthal. Applicants respectfully submit that in view of the foregoing amendments, claims 1 and 19 are allowable over the cited references.

Claim 1 recites steps for allowing communication among a patient, friends and family and also supporting one or more organizations engaged in fundraising. As recited in claim 1, the participants, i.e., the patient, friends, and family, are asked one or more questions about their preferences and dislikes. Based on the answers to the questions, organizations engaged in fundraising are identified. Claim 1 then recites the step of soliciting charitable donations for the organizations.

Applicants submit that Russell does not teach the following steps in claim 1:

providing a web-based, online communication system having one or more web pages linked to a computer network for efficient communication among a patient, friends or family by exchanging electronic messages and communicating with one another through the web pages;
asking one or more questions, on the web pages, regarding preferences and dislikes of participants;
identifying organizations engaged in fundraising based on the answers to the questions; and
soliciting a charitable donation for the organizations engaged in fundraising;

First, Russell does not teach a web-based system for communicating with a patient. Rather Russell discloses a different system that provides access to DNA

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information for individuals and pets (paragraph 0014 of Russell). Russell describes a Pet Calculator, which assists a user in analyzing various aspects of any actual or prospective pet (paragraph 0014 of Russell). Russell also teaches a Pet Selector, which assists a user in selecting the right pet to fit any particular taste and lifestyle (paragraph 0018 of Russell).

Next, Russell does not teach the step of asking one or more questions regarding preferences and dislikes of the participants. Russell also does not teach the step of identifying organizations engaged in fundraising based on the answers to the questions.

In section 3 of the Office Action, the Examiner said:

in paragraph [0211] Russell discloses the step of asking the family for the destination of a donation and in [0171] with respect to frequently asked questions (FAQ) list for desired donations and other gifts...

Applicants respectfully disagree with the Examiner. Paragraph [0211] of Russell provides the following:

[0211] 14. See if the family would like funeral flowers delivered to a hospital or nursing home

Applicants submit that asking if the family would like to send funeral flowers to a hospital or a nursing home is different from asking one or more questions regarding preferences and dislikes of participants and identifying organizations engaged in fundraising based on the answers to the questions.

Paragraph [0171] provides the following:

[0171] Deb's family practices Reformed Judaism, which Deb left in college but has been reconsidering. In her tradition, food baskets are considered respectful gifts. She is grateful to learn from MyEtribute's FAQ list that they are totally inappropriate for Anna's religious tradition - saved from a faux pas.

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Applicants submit that information about religious traditions are different than asking one or more questions regarding preferences and dislikes of participants and identifying organizations engaged in fundraising based on the answers to the questions.

For the reasons stated above, Applicants submit that claim 1 is allowable over Russell et al. Claim 19 recites the same limitations as claim 1. Applicants believe claim 19 is allowable over the reference for the same reasons recited above.

Applicants submit that the article CAUSE CELLEBRE does not teach the steps recited in claim 1. Applicants submit that the article CAUSE CELLEBRE does not disclose a web-based system for allowing communication among a patient, friends and family and also supporting one or more organizations engaged in fundraising. Also, CAUSE CELLEBRE does not disclose or suggest the steps of asking the participants, i.e., the patient, friends, and family, one or more questions about their preferences and dislikes and based on the answers to the questions, identifying organizations engaged in fundraising. For the foregoing reasons, Applicants submit that claim 1 is allowable over CAUSE CELLEBRE. Since Claim 19 recites the same limitations as claim 1, Applicants believe claim 19 is allowable over the reference for the same reasons.

Claims 2-18 depend from claim 1 and claims 20-36 depend from claim 19. These dependent claims include all features of the independent claims from which they depend. Accordingly, Applicants submit that the dependent claims are allowable over the references for at least the same reasons stated above.

Applicants believe that the Application is now in condition for allowance. Accordingly, Applicants respectfully request that the Examiner pass the Application to allowance. The Examiner is invited to call the undersigned attorney if a telephone call could help resolve any remaining matters.

Respectfully submitted,


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VERSION WITH MARKINGS TO SHOW CHANGES MADE

1. A method for efficient communication and relationship management, the method establishing relationship between a patient, friends or family and one or more organizations engaged in fundraising and soliciting charitable donations, the method utilizing a computer system linked to a network, the computer system having one or more processors, one or more storage devices coupled to the processors, comprising:

providing a web-based, online healthcare communication system having one or more web pages linked to a computer network for efficient communication among a patient, friends or family by exchanging messages and communicating with one another through the web pages;

asking one or more questions, on the web pages, regarding preferences and dislikes of participants;

identifying organizations engaged in fundraising based on the answers to the questions; and

soliciting a charitable donation for the organizations engaged in fundraising; wherein the friends and family maintain communication and relationship with the patient through the web pages and also support the organizations.

19. A system for efficient communication and relationship management, the system establishing relationship between a patient, friends or family and one or more organizations engaged in fundraising and soliciting charitable donations, the system utilizing a computer system linked to a network, the computer system having one or more processors, one or more storage devices coupled to the processors, comprising:

a web-based, online communication service related to patient care having one or more web pages linked to a computer network for efficient communication among a patient, friends or family by exchanging messages and communicating with one another through the web pages;

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means for [a survey program for] asking one or more questions on the web pages regarding preferences and dislikes of participants, and for identifying organizations engaged in fundraising based on the answers to the questions; and means for soliciting [a solicitation program for seeking] a charitable donation for the organizations engaged in fundraising .

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